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Attorneys for Defendants
CASH AMERICA INTERNATIONAL, INC.,
and CNU OF CALIFORNIA, LLC (formerly known as
CASH AMERICA NET OF CALIFORNIA, LLC)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

PAULA BERNAL and MARY F. BAILEY, on
behalf of themselves and all persons similarly
situated,

Plaintiffs,

v.

CASH AMERICA INTERNATIONAL, INC.,
CASH AMERICA NET OF CALIFORNIA, LLC,
CNU OF CALIFORNIA, LLC, and Does 1
through 100, inclusive,

Defendants.

Case No. CV 12-05792-JSW

**STIPULATION AND ~~[PROPOSED]~~ ORDER
TO CONTINUE BRIEFING SCHEDULE ON
DEFENDANTS’ MOTION TO COMPEL
ARBITRATION**

1 Plaintiffs PAULA BERNAL and MARY F. BAILEY and Defendants CASH AMERICA
2 INTERNATIONAL, INC., and CNU OF CALIFORNIA, LLC (formerly known as CASH
3 AMERICA NET OF CALIFORNIA, LLC) (hereinafter, collectively, the “Parties”), by and through
4 their undersigned counsel, report that they have met and conferred and have reached the following
5 Stipulation:

6 WHEREAS, Plaintiffs initially filed suit in California Superior Court, County of Alameda,
7 against Defendants for claims arising from various separate loan transactions between Plaintiff Bernal
8 and Plaintiff Bailey, respectively, and Defendants;

9 WHEREAS, on November 9, 2012, Defendants removed this action to the United States
10 District Court for the Northern District of California;

11 WHEREAS, upon removal, this action was assigned to Magistrate Judge Donna M. Ryu;

12 WHEREAS, on November 14, 2012, Defendants filed a Declination to Proceed Before a
13 Magistrate Judge;

14 WHEREAS, on November 16, 2012, Defendants filed a Motion to Compel Arbitration
15 (“Motion”), seeking to compel the arbitration of Plaintiff Bernal’s and Plaintiff Bailey’s respective
16 claims pursuant to the terms of the arbitration agreement contained in each of Plaintiffs’ loan
17 agreements with Defendants;

18 WHEREAS, Defendants noticed the hearing on their Motion in accordance with Magistrate
19 Judge Ryu’s calendar;

20 WHEREAS, on November 20, 2012, this action was reassigned to Judge Jeffrey S. White;

21 WHEREAS, on November 21, 2012, Defendants re-noticed the hearing on their Motion in
22 accordance with Judge White’s calendar;

23 WHEREAS, Plaintiffs concede that their claims are subject to arbitration;

24 WHEREAS, the Parties are in the process of preparing a stipulation to stay the present action
25 and proceed to arbitration on Plaintiffs’ respective claims;

26 WHEREAS, Plaintiffs’ opposition to Defendants’ Motion was to be filed no later than
27 November 30, 2012 and Defendants’ reply, if any, in support of their Motion was to be filed no later
28 than December 7, 2012;

1 WHEREAS, the Parties agree to continue Plaintiffs' deadline for filing their opposition to
2 Defendants' Motion to December 14, 2012;

3 WHEREAS, the Parties agree to continue Defendants' deadline for filing their reply, if any, in
4 support of their Motion to December 24, 2012;

5
6
7 NOW, THEREFORE, THE PARTIES HEREBY STIPULATE as follows:

8 Plaintiffs' deadline for filing an opposition to Defendants' Motion to Compel Arbitration shall
9 be continued to December 14, 2012 and Defendants' deadline for filing a reply in support of their
10 Motion shall be continued to December 24, 2012.

11
12 Dated: December 7, 2012

Respectfully submitted,

13 **O'RIELLY & ROCHE LLP**

14 By: /s/ Daniel J. O'Rielly
Daniel J. O'Rielly

15
16 Attorneys for Defendants
CASH AMERICA INTERNATIONAL,
17 INC.,
and CNU OF CALIFORNIA, LLC
18 (formerly known as CASH AMERICA NET
19 OF CALIFORNIA, LLC)

20 Dated: December 7, 2012

LAKESHORE LAW CENTER

21
22 By: /s/ Jeffrey Wilens
Jeffrey Wilens


23
24 Attorneys for Plaintiffs
PAULA BERNAL and MARY F. BAILEY

[PROPOSED] ORDER

Plaintiffs' deadline for filing a response to Defendants' Motion to Compel Arbitration is hereby continued to December 14, 2012; Defendants' deadline for filing a reply, if any, in support of their Motion to Compel Arbitration is hereby continued to December 24, 2012.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: December 11, 2012


The Honorable Jeffery S. White
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I declare that I am over the age of 18 years and not a party to the within action. My business address is 4 Embarcadero Center, Suite 1400, San Francisco, California, 94111.

On December 7, 2012 I served the following document(s):

- **STIPULATION AND [PROPOSED] ORDER TO CONTINUE BRIEFING SCHEDULE ON DEFENDANTS' MOTION TO COMPEL ARBITRATION**

To:

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XXX **BY ECF.** I caused such documents to be e-filed with the Court which were then served on counsel via the ECF filing system.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this Declaration was executed on December 7, 2012 at San Francisco, California.

/s/ Nydia Avellan
Nydia Avellan